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- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 333 West Wacker Drive Chicago, Illinois 60606 (312) 407-0700

Counsel to the Debtors and Debtors in Possession

> IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

In re: Chapter 11

CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH)

<u>et</u> <u>al</u>.,

Debtors. : Jointly Administered

- - - - - - - x

ORDER ON DEBTORS' FORTY-THIRD OMNIBUS OBJECTION TO CLAIMS (DISALLOWANCE OF CERTAIN LATE CLAIMS)

THIS MATTER having come before the Court on the Debtors' Forty-Third Omnibus Objection to Claims (Disallowance of Certain Late Claims) (the "Objection"), which requested, among other things, that the claims specifically identified on Exhibit C attached to the Objection be disallowed in their entirety and for all

purposes in these bankruptcy cases for those reasons set forth in the Objection; and it appearing that due and proper notice and service of the Objection as set forth therein was good and sufficient and that no other further notice or service of the Objection need be given; and it further appearing that certain claimants filed responses to the Objection; and it appearing that the relief requested in the Objection is in the best interest of the Debtors, their estates and creditors and other parties-in-interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

- 1. The Objection is GRANTED.
- 2. The Claims identified on $\underline{\text{Exhibit A}}$ as attached hereto and incorporated herein are forever disallowed in their entirety for all purposes in these bankruptcy cases.
- 3. The status hearing on the Objection to the claims identified on Exhibit B as attached hereto and incorporated herein is hereby adjourned to December 7, 2009, at 2:00 p.m. (Eastern) or until such later time as agreed by the parties.
- 4. The Debtors' rights and abilities to object to any claim included in the Objection on any grounds and on any bases are hereby preserved in their entirety.

5. The Debtors shall serve a copy of this Order on the claimants included on the exhibits to this Order on or before five (5) business days from the entry of this Order.

Dated: Richmond, Virginia
Nov 12 2009, 2009

/s/ Kevin Huennekens

HONORABLE KEVIN R. HUENNEKENS
UNITED STATES BANKRUPTCY JUDGE

Entered on docket: Nov 17 2009

WE ASK FOR THIS:

Gregg M. Galardi, Esq.
Ian S. Fredericks, Esq.
SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP
One Rodney Square
PO Box 636
Wilmington, Delaware 19899-0636
(302) 651-3000

- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 155 North Wacker Drive Chicago, Illinois 60606 (312) 407-0700

- and -

/s/ Douglas M. Foley
Dion W. Hayes (VSB No. 34304)
Douglas M. Foley (VSB No. 34364)
MCGUIREWOODS LLP
One James Center
901 E. Cary Street
Richmond, Virginia 23219
(804) 775-1000

Counsel to the Debtors and Debtors in Possession

CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Douglas M. Foley
Douglas M. Foley

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Case 08-35653-KRH Doc 5862 Filed 11/19/09 Entered 11/20/09 00:51:51 Desc In re: Circuit City Stores, Inc, drataged Certificate of Service Page 5 Dfb102s' Forty-Third Omnibus Objection to Claims (Late Claims) - Ordered

| CREDITOR'S NAME AND ADDRESS | CLAIM NUMBER | ASSE CLAIM A | RTED MOUNT * | DATE FILED | DOCKETED DEBTOR |
|---|-----------------|---|-----------------|---------------|---|
| ANDY DOMINGUEZ 2119 BORDEAUX AVE STOCKTON, CA 95210 | 14473 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$1,979.00 | 06/29/2009 | CIRCUIT CITY STORES WEST COAST, INC. (08-35654) |
| | | Total: | \$1,979.00 | | |
| BJARNSON, BENJAMIN 594 E 7500S MIDVALE, UT 84047-0000 | 13053 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$176.69 | 05/21/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| | | Total: | \$176.69 | | |
| CITY OF CLARKSVILLE DEPARTMENT OF FINANCE & REVENUE PO BOX 928 CLARKSVILLE, TN 37041-0928 | 14483 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$11,242.65 | 07/13/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| | | Total: | \$11,242.65 | | |
| FRIESEN, PATRICE 1420 SPALDING AVE ATWATER, CA 95301 | 14014 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$15,000.00 | 06/22/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| | | Total: | \$15,000.00 | | |
| HARA KEVIN K 1156 LABRADOR CT NEWMAN, CA 95360 | 13205 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$1,560.06 | 06/05/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| | | Total: | \$1,560.06 | | |

 [&]quot;UNL" denotes an unliquidated claim.

| CREDITOR'S NAME AND ADDRESS | CLAIM NUMBER | ASSERTED CLAIM AMOUNT * | | DATE FILED | DOCKETED DEBTOR |
|---|-----------------|---|--------------------------|---------------|---|
| HATZLACHH SUPPLY INC 935 BROADWAY NEW YORK, NY 10010 | 13219 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$255,825.84 | 06/09/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| | | Total: | \$255,825.84 | | |
| HOUSTON COUNTY REVENUE COMMISSIONER PO BOX 6406 DOTHAN, AL 36302 | 14549 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$4,144.80 | 08/14/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| | | Total: | \$4,144.80 | | |
| JULIA MAPES 649 EDITH ANN DR AZUSA, CA 91702 | 13707 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$272.48 \$272.48 | 06/19/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| KIRK S CARTER 5205 W PIUTE AVE GLENDALE, AZ 85308 | 14478 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$1,725.01 \$1,725.01 | 06/30/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| KYLE GORDON TRACEY JOYCE E TRACEY 246 CIRCUIT ST NORWELL, MA 02061 | 13213 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | UNL | 06/01/2009 | CIRCUIT CITY STORES, INC. (08-35653) |

[&]quot;UNL" denotes an unliquidated claim.

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| CREDITOR'S NAME AND ADDRESS | CLAIM NUMBER | ASSERTED CLAIM AMOUNT * | | DATE FILED | DOCKETED DEBTOR |
|---|-----------------|---|--------------------------|---------------|---|
| LAFAYETTE CONSOLIDATED GOVERNMENT PO BOX 4024 LAFAYETTE, LA 70502-4024 | 14534 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$6,381.90 \$6,381.90 | 07/28/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| | | 70.00 | ψο)σσ1.5σ | | |
| MATTHEW KUPFERBERG 69 STONY HILL DR MORGANVILLE, NJ 07751 | 13608 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total: | \$98.10 \$98.10 | 06/25/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| | | | | | |
| MOSCATELL, BRENDA LYNN 727 BRASS CASTLE RD BELVIDERE, NJ 07823 | 13228 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$5,500.00 \$5,500.00 | 06/01/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| OREGON EMPLOYMENT DEPARTMENT EMPLOYMENT DEPARTMENT 875 UNION ST NE RM 107 SALEM, OR 97311 | 14488 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total: | \$937.61 \$937.61 | 07/22/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| PITTS, WILLIAM 3009 MCCLELLAN ST DETROIT, MI 48214 | 13021 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$97.89 \$97.89 | 05/18/2009 | CIRCUIT CITY STORES, INC. (08-35653) |

[&]quot;UNL" denotes an unliquidated claim.

| CREDITOR'S NAME AND ADDRESS | CLAIM NUMBER | | RTED MOUNT * | DATE FILED | DOCKETED DEBTOR |
|--|-----------------|---|----------------------------|---------------|---|
| QUARLES JANE B 9021 WELDON DR RICHMOND, VA 23229 | 14277 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$29,722.37 | 06/30/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| | | Total: | \$29,722.37 | | |
| RAMIREZ, MARC 15919 SE MCLOUGHLIN BLVD 9 MILWUALIE, OR 97267-0000 | 13653 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$625.77 | 06/26/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| | | Total: | \$625.77 | | |
| RAMIREZ, MARCOS ISIDRO 15919 SE MCLOUGHLIN BLVD 9 MILWUALIE, OR 97267 | 13652 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$625.77 \$625.77 | 06/26/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| REICHEL, SUSAN 1550 SPRINGTOWN BLVD NO 6C LIVERMORE, CA 94551 | 13151 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total: | \$1,216.89 \$1,216.89 | 06/09/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| TERESA LYNN PASSEN 7138 TILGHMAN DR PARSONSBURG, MD 21849 | 13739 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total: | \$15,000.00 \$15,000.00 | 06/22/2009 | CIRCUIT CITY STORES, INC. (08-35653) |

[&]quot;UNL" denotes an unliquidated claim.

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EXHIBIT A

| CREDITOR'S NAME AND ADDRESS | CLAIM NUMBER | ASSERTED CLAIM AMOUNT * | | DATE FILED | DOCKETED DEBTOR |
|---|-----------------|---|------------------------------|---------------|---|
| THOMAS GEORGE ASSOCIATES LTD TGA INSURANCE RECOVERY DIVISION PO BOX 30 E NORTHPORT, NY 11731-0030 | 12288 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total: | \$1,050.00 \$1,050.00 | 04/14/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| TOMASELLI, STACEY 2141 JILL WAY UPLAND, CA 91784 | 14435 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$777.81 \$777.81 | 07/01/2009 | CIRCUIT CITY STORES WEST COAST, INC. (08-35654) |
| TRAN, KIEN X 9568 W FRANK AVE PEORIA, AZ 85382 | 13157 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total: | \$1,802.17 \$1,802.17 | 06/08/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| WAYNE BERKLEY LUCK WAYNE B LUCK 8954 KINGS CHARTER DR MECHANICSVILLE, VA 23116 | 14330 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total: | \$210,000.00 \$210,000.00 | 07/01/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| WRIGHT, LESLIE 13422 ROBSON ST DETROIT, MI 48227-5501 | 13840 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total: | \$124.38 \$124.38 | 06/29/2009 | CIRCUIT CITY STORES, INC. (08-35653) |

Total: 25 \$565,887.19

Case 08-35653-KRH Doc 5862 Filed 11/19/09 Entered 11/20/09 00:51:51 Desc In re: Circuit City Stores, Inc, Maged Certificate of Service Page 10Popt 2 Forty-Third Omnibus Objection to Claims Case No. 08-35653-KRH (Late Claims) - Adjourned

EXHIBIT B

| CREDITOR'S NAME AND ADDRESS | CLAIM NUMBER | ASSERTED CLAIM AMOUNT * | | DATE FILED | DOCKETED DEBTOR |
|--|-----------------|---|--|---------------|---|
| HARRISON, DAVID 5115 VERMONT DRIVE EASTON, PA 18045 | 13027 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$165.96 | 05/07/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| | | Total: | \$165.96 | | |
| JONES III LOUIS C 17 SPRING HARBOR ALISO VIEJO, CA 92656 | 13632 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$15,000.00 | 06/26/2009 | CIRCUIT CITY STORES WEST COAST, INC. (08-35654) |
| | | Total: | \$15,000.00 | | |
| SANTANGELO, RUSTY PO BOX 536423 ORLANDO, FL 32853-6423 | 14291 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$481.00 | 06/29/2009 | CIRCUIT CITY STORES PR, LLC (08-35660) |
| | | Total: | \$481.00 | | |
| TN DEPT OF TREASURY UNCLAIMED PROPERTY C O TN ATTY GENERAL BANKRUPTCY DIV PO BOX 20207 NASHVILLE, TN 37202-0207 | 14567 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$200,545.81 \$200,545.81 | 08/20/2009 | CIRCUIT CITY STORES, INC. (08-35653) |
| | | | | | |
| TOSHIBA AMERICA CONSUMER PRODUCTS LLC C O LEITESS LEITESS FRIEDBERG & FEDDER PC 10451 MILL RUN CIR STE 1000 ONE CORPORATE CTR OWINGS MILLS, MD 21117 | 14506 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: - Total: | \$5,293,249.00 \$1,100,432.50 \$6,393,681.50 | 07/16/2009 | CIRCUIT CITY STORES, INC. (08-35653) |

[&]quot;UNL" denotes an unliquidated claim.

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(Late Claims) - Adjourned

EXHIBIT B

| CREDITOR'S NAME AND ADDRESS | CLAIM NUMBER | ASSERTED CLAIM AMOUNT* | | DATE FILED | DOCKETED DEBTOR |
|--|-----------------|--|---|---------------|---|
| TOSHIBA AMERICA INFORMATION SYSTEMS INC C O LEITESS LEITESS FRIEDBERG & FEDDER PC ONE CORPORATE CTR 10451 MILL RUN CIR STE 1000 OWINGS MILLS, MD 21117 | 14505 | Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: | \$5,043,759.28 \$9,357,099.05 \$14,400,858.33 | 07/16/2009 | CIRCUIT CITY STORES, INC. (08-35653) |

Total: \$21,010,732.60 6

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Form ID: pdforder Case: 08-35653

Total Noticed: 1

Date Rcvd: Nov 17, 2009

The following entities were noticed by first class mail on Nov 19, 2009.

aty +Gregg M. Galardi, Skadden Arps Slate Meagher, & Flom LLP, One Rodney Sq.,

Wilmington, DE 19899-0636 PO Box 636,

The following entities were noticed by electronic transmission.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

TOTAL: 0 NONE.

Addresses marked $^{\prime +\prime}$ were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 19, 2009

Joseph Speetjins